REMARKS

With entry of this amendment, claims 1-10, 12-15, and 21-24 are pending in this application. Of these, claims 1 and 4-6 stand rejected under 35 U.S.C. §102; claims 2 and 3 stand rejected under 35 U.S.C. §103, claims 7-10 and 12-15 have been withdrawn from consideration; and claims 21-24 are newly added. Claim 11 has been cancelled, rendering the rejections of this claim moot.

Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claim Rejections-35 U.S.C. §102

Claims 1 and 4-6 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,967,986 to Cimochowski et al. ("Cimochowski"). As an initial matter, Applicant does not acquiesce that Cimochowski is a §102(e) prior art reference, and reserves the right to antedate this reference as provided for under the MPEP should it become necessary. Notwithstanding this, Applicant respectfully traverses the rejection of claims 1 and 4-6, since Cimochowski does not disclose each and every element recited in these claims, as amended.

Specifically, independent claim 1, as amended, recites a biosensor configured for sensing pressure within a weakened region of a blood vessel having a graft secured therein. In contrast, the biosensors illustrated and described with respect to Figs. 19-22 of Cimochowski are not capable of performing this function. Rather, these biosensors are described as either being capable of sensing physiological parameters of blood flowing through a stent (col. 22, lines 59-64), measuring the strain of the stent to measure

displacement (col. 24, lines 12-15), or detecting fatty deposits on the inside of the stent (col. 24, lines 44-49). There is no teaching or suggestion in Cimochowski that such biosensors can be configured to sense pressure within the weakened region of the blood vessel.

For at least this reason, Applicant submits that independent claim 1, as well as the claims depending therefrom (claims 4-6), are not anticipated by Cimochowski, and respectfully requests that the §102(e) rejection of these claims be withdrawn.

Claim Rejections-35 U.S.C. §103

Claims 2 and 3 stand rejected under 35 U.S.C. §103 as being obvious over Cimochowski. Applicant respectfully traverses this rejection, since Cimochowski does not disclose, teach, or suggest the subject matter of these claims. Specifically, as previously stated, Cimochowski does not teach or suggest placing a biosensor on a stent to sense pressure within the weakened region of a blood vessel. As such, Applicant respectfully requests the Examiner to withdraw the §103 rejections of claims 2 and 3.

Consideration of Claims 7-10 and 12-15

Applicant respectfully submits that claims 7-10 and 12-15 either depend from, or substantially include all of the limitations of, claim 1. As such, Applicant respectfully requests consideration of these claims in the application.

New Claims

New claims 21-24 find support in the specification, as originally filed, and are believed to be patentable over the cited prior art.

Conclusion

Based on the foregoing, all claims pending in the application are believed to be allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (213) 680-6400.

Respectfully submitted,

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Dated: September 18, 2002 By: 

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Enclosure: Marked up version of the amended claims pursuant to 37 C.F.R. § 1.121(c)(1)(ii).

Marked up version of the amended claims pursuant to 37 C.F.R. § 1.121(c)(1)(ii).

1. (Once Amended) A stent graft, comprising:

a tubular prosthetic graft;

a support structure expandable between a contracted condition for facilitating introduction into a blood vessel, and an enlarged condition for securing the graft across a weakened region of the blood vessel; and

a biosensor attached to at least one of the graft and the support structure, wherein the biosensor is configured for sensing pressure within the weakened region of the blood vessel when the graft is secured within the blood vessel.

12. (Once Amended) An apparatus for treating an aneurysm within a blood vessel, comprising:

a stent graft comprising a tubular graft, and an expandable support structure;

a biosensor attached to the stent graft by one or more filaments, wherein the biosensor is configured for sensing pressure within the weakened region of the blood vessel when the stent graft is secured within the blood vessel;

an elongate member including a proximal end and a distal end adapted for introduction into a blood vessel, the distal end including a distal region for receiving the stent graft in a contracted condition and the biosensor adjacent one another thereon; and

a constraint for securing the stent graft to the distal region of the delivery device.